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OHLANDT, GREELEY, RUGGIERO & PERLE, LLP			ALI, FARHAD	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/506,787	<b>Applicant(s)</b> MANASSEH ET AL.
	<b>Examiner</b> FARHAD ALI	<b>Art Unit</b> 2446

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 08 September 2008.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-13,15,17-34,36-41 and 46-49 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 1-13,15,17-34,36-41 and 46-49 is/are rejected.  
 7) Claim(s) \_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 07 September 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-544)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_

5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_

**DETAILED ACTION**

**Status of Claims:**

**Claims 1-13, 15, 17-34, 36-41 and 46-49 are pending in this Office Action.**

**Claims 1, 3, 4, 9, 10, 11, 20, 22, 23, 28-30 and 41 are amended.**

**Claims 46-49 are new.**

**Claims 14, 16, 35 and 42-45 are cancelled.**

***Specification***

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The applicant has claimed capture devices captures activities occurring in or near a command and control center associated with the event and has pointed to Paragraph [0026] in the specification for support of this limitation. The examiner found no support for this limitation in the specification.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 20, 46, and 48 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably

convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The applicant has claimed capture devices captures activities occurring in or near a command and control center associated with the event and has pointed to Paragraph [0026] in the specification for support of this limitation. The examiner found no support for this limitation in the specification.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 20, 46, and 48 recite the limitation "capture devices captures activities occurring in or near a command and control center associated with the event" in the second last paragraph of the claim. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claim 41 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,559,769 (hereinafter Anthony).

Regarding Claim 41, Anthony teaches an apparatus for monitoring and recording of at least two video or audio or data streams associated with an event involving a transportation vehicle (**Col. 2, Lines 18-22**; “**In yet another aspect, this system provides a means and methodology for safeguarding any and all conduct effectuated on public mobile vehicles such as commercial airplanes, trains, buses, boats, or the like**”), the apparatus comprising:

at least two capture device for receiving the at least two streams depicting activities associated with the event (**Col. 3, Lines 10-15**; “**comprises a plurality of video cameras disposed at strategic locations in or on the automobile so that events may be documented in real-time for analysis at a plurality of remote control sites**”);

at least one recording device located within the transportation vehicle for recording the at least one stream (**Col. 5, Lines 7-11**; **local controller placed within the automobile. Col. 7, Lines 21-61**; **audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle**); and

a communication device for communicating the recorded data stream to a monitoring station (**Col. 2, Lines 40-44**; “**such activities and events are continuously captured and uplinked in real-time along with received or generated control signals to a plurality of control facilities for recording, monitoring, and contemporaneous analysis**”); and

an investigative tool for debriefing an event associated with the transportation vehicle at a later stage (Col. 14, Lines 43-51; Contemplated operator activities comprise exercising streaming control; viewing geographical location (on a suitable United States map) associated with an alert; searching for previously stored alert video information or other relevant video information useful for interpreting incoming video streams for a particular subscriber; replaying alert videos if needed for proper early-warning analysis or the like; viewing user activity history; viewing subscriber account history),

wherein the at least two streams are synchronized with radio transmissions (Col. 15, Lines 31-34; a plurality of channels are monitored which hold the data stream of audio and video. Furthermore, the Abstract teaches of such data being real-time, therefore the system and the data it transmits must be synchronized with what actually occurs on the vehicle when played back. Col. 15, Lines 56-65; reconcile real-time information with historically comparable information under analysis and Col. 21, Lines 25-27 teaches of using GPRS, or general packet radio service, for delivering the data streams in real-time and synchronized to a remote center from the local control board).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-13, 15, 17-34, 36-40 and 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anthony in view of U.S. Patent 4,888,652 (hereinafter Sander).

Regarding Claim 1, Anthony teaches an apparatus for recording, playback, and investigation of an event associated with a transportation vehicle (**Col. 2, Lines 18-22**, “**In yet another aspect, this system provides a means and methodology for safeguarding any and all conduct effectuated on public mobile vehicles such as commercial airplanes, trains, buses, boats, or the like**”), from at least two synchronized video, audio, or data streams associated with the transportation vehicle (**Col. 5, Lines 24-41**; **plurality of cameras providing a plurality of streams monitoring and recording of activities associated to a vehicle, thus being real-time and synchronized data streams as it follows the events as the occur**), the apparatus comprising:

at least two capture devices for capturing the at least two audio or video or data streams depicting activities associated with the event (**Col. 3, Lines 10-15**; “**comprises a plurality of video cameras disposed at strategic locations in or on the automobile so that events may be documented in real-time for analysis at a plurality of remote control sites**” and **Col. 15, Lines 56-65**; **reconcile real-time information with historically comparable information under analysis**);

at least one recording device for recording at least one of the at least two streams depicting the activities associated with the transportation vehicle (**Col. 7, Lines**

21-61; **audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle); at least one communication device for communicating the at least one recorded stream to a monitoring station (Col. 2, Lines 40-44; “such activities and events are continuously captured and uplinked in real-time along with received or generated control signals to a plurality of control facilities for recording, monitoring, and contemporaneous analysis”); and**

**an investigative tool for debriefing the event at a later stage (Col. 14, Lines 43-51; Contemplated operator activities comprise exercising streaming control; viewing geographical location (on a suitable United States map) associated with an alert; searching for previously stored alert video information or other relevant video information useful for interpreting incoming video streams for a particular subscriber; replaying alert videos if needed for proper early-warning analysis or the like; viewing user activity history; viewing subscriber account history),**

**wherein at least one of the at least two capture devices captures activities occurring in or near the transportation vehicle (Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle).**

The Anthony reference fails to teach wherein at least one of the at least two capture devices captures activities occurring in or near a command and control center associated with the event, the command and control center located remotely from the transportation vehicle, and wherein at least one of the at least two capture devices captures audio communication transmitted by a radio receiver.

However the Sander reference teaches "Communications loggers typically are used to make continuous or nearly continuous recordings of all telephone or radio communications to and from a single location, such as a police station or fire station" (Column 1 lines 48-55) in order to "provide back-up monitoring of critical channels" (Column 1 Lines 59-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to create the invention of Anthony reference to include "Communications loggers typically are used to make continuous or nearly continuous recordings of all telephone or radio communications to and from a single location, such as a police station or fire station" as taught by Sander in order to "provide back-up monitoring of critical channels" (Column 1 Lines 59-60).

Regarding Claim 2, the modified Anthony reference teaches the apparatus further comprising at least one alarm activator device for activating the at least one of the at least two capture devices (**Anthony: Col. 8, Lines 1-14; manual and automatic activation based on triggering event that was activate audio/video. Col. 11, Lines**

**54-65; alarm switch device connected to the serial port of the mobile unit. Col. 12, Lines 35-39; alarm mode has cameras on).**

Regarding Claim 3, the modified Anthony reference teaches the apparatus further comprising at least one database device for storing the at least two streams (**Anthony: Col. 8, Lines 31-36; data downlinked onto a database**).

Regarding Claim 4, the modified Anthony reference teaches the apparatus further comprising an at least one analysis device for analyzing an at least one of the at least two streams (**Anthony: Col. 9, Lines 22-28; centralized data center which receives and analyzes the signals being downlinked**).

Regarding Claim 5, the modified Anthony reference teaches the apparatus further comprising a disabler device for disabling the control of the transportation vehicle (**Anthony: Col. 22, Lines 30-40; trigger engine shut-down, thereby disables control**).

Regarding Claim 6, the modified Anthony reference teaches the apparatus further comprising a disabler device for controlling the transportation vehicle from a location external to the transportation vehicle (**Anthony: Col. 22, Lines 30-40; trigger from the external control center**).

Regarding Claim 7, the modified Anthony reference teaches the apparatus further comprising a control device for controlling at least one of the at least two capture devices or the at least one recording device or the at least one communication device (**Anthony: Col. 5, Lines 52-57; black box controls camera activation**).

Regarding Claim 8, the modified Anthony reference teaches the apparatus further comprising a monitoring device for monitoring events captured by the at least one of the at least two capture device (**Anthony: Col. 5, Lines 6-22; monitoring apparatus for monitoring based on received signals from the plurality of cameras**).

Regarding Claim 9, the modified Anthony reference teaches the apparatus further comprising a retrieval device for retrieving a part or whole of at least one of the at least two streams captured by at least one of the at least two capture devices associated with the transportation vehicle (**Anthony: Col. 5, lines 6-22; uplinking to a satellite**).

Regarding Claim 10 the modified Anthony reference teaches the apparatus wherein the streams are synchronized multimedia streams (**Anthony: Col. 15, Lines 31-34; a plurality of channels are monitored which hold the data stream of audio and video. Furthermore, the Abstract teaches of such data being real-time, therefore the system and the data it transmits must be synchronized with what**

**actually occurs on the vehicle when played back. Col. 15, Lines 56-65; reconcile real-time information with historically comparable information under analysis).**

Regarding Claim 11, the modified Anthony reference teaches the apparatus wherein the at least two streams is synchronized with a radio signal (**in addition to the rejection of Claim 10, Anthony: Col. 21, Lines 25-27 teaches of using GPRS, or general packet radio service, for delivering the data streams in real-time and synchronized to a remote center from the local control board**).

Regarding Claim 12, the modified Anthony reference teaches the apparatus wherein at least one of the at least two capture devices is a video camera (**Anthony: Col. 6, Lines 25-27; cameras, further referenced in the rejections above as well**).

Regarding Claim 13, the modified Anthony reference teaches the apparatus wherein at least one of the at least two capture devices is a microphone (**Anthony: Col. 11, Line 54**).

Regarding Claim 15, the modified Anthony reference teaches the apparatus wherein the at least one recording device is located within the transportation vehicle (**Anthony: Col. 5, Lines 7-11; local controller placed within the automobile. Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape**

**backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle).**

Regarding Claim 17, the modified Anthony reference teaches the apparatus the at least one analysis device is located within the transportation vehicle (**Anthony: Col. 8, Lines 12-21; automatic trigger event activation of system, thereby the system having continuous analysis of the situation be on certain predetermined triggering events as handled by processors on Col. 7, Lines 32-36, which by themselves are essentially analysis devices**).

Regarding Claim 18, the modified Anthony reference teaches the apparatus wherein the at least one analysis device is located external to the transportation vehicle in a command and control center or a crisis-management facility (**Anthony: Col. 8, Lines 22-36; law enforcement can handle crisis management and the above teaches of analysis and monitoring at control centers**).

Regarding Claim 19, the modified Anthony reference teaches the apparatus of claim 1 wherein the at least one communication device transmits a transmission to be later redistributed (**Anthony: Col. 14, Lines 13-20; streaming via a predetermined schedule or periodically, thereby later redistribution is fully possible**).

Regarding Claim 20, Anthony teaches a method for recording, playback, and investigation of an event associated with a transportation vehicle, from at least two synchronized video or audio or data streams associated with the transportation vehicle, the method comprising the steps of:

receiving the at least two streams depicting activities associated with the event from at least two capture devices;

recording at least one of the at least two streams depicting the activities associated with the transportation vehicle by at least one recording device;

communicating the at least one recorded stream to a monitoring station by a communication device, and

debriefing the event at a later stage (**Claim 20 is rejected for the same reasons as taught in Claim 1 as the limitations are analogous in scope and language**).

The Anthony reference fails to teach wherein at least one of the at least two capture devices captures activities occurring in or near the transportation vehicle, and at least one of the at least two capture devices captures activities occurring in or near a command and control center associated with the event, the command and control center remote from the transportation vehicle, and wherein at least one of the at least two capture devices captures audio communication transmitted by a radio receiver.

However the Sander reference teaches "Communications loggers typically are used to make continuous or nearly continuous recordings of all telephone or radio communications to and from a single location, such as a police station or fire station"

(Column 1 lines 48-55) in order to "provide back-up monitoring of critical channels"

(Column 1 Lines 59-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to create the invention of Anthony reference to include "Communications loggers typically are used to make continuous or nearly continuous recordings of all telephone or radio communications to and from a single location, such as a police station or fire station" as taught by Sander in order to "provide back-up monitoring of critical channels" (Column 1 Lines 59-60).

Regarding Claim 21, the modified Anthony reference teaches the method further comprising the step of activating at least one of the at least two capture devices by at least one alarm activator device (**Anthony: Col. 8, Lines 1-14; manual and automatic activation based on triggering event that was activate audio/video. Col. 11, Lines 54-65; alarm switch device connected to the serial port of the mobile unit. Col. 12, Lines 35-39; alarm mode has cameras on**).

Regarding Claim 22, the modified Anthony reference teaches the method further comprising the step of storing the at least two streams in an at least one database device (**Anthony: Col. 8, Lines 31-36; data downlinked onto a database**).

Regarding Claim 23, the modified Anthony reference teaches the method further comprising the step of analyzing at least one of the at least two streams (**Anthony: Col.**

**9, Lines 22-28; centralized data center which receives and analyzes the signals being downlinked).**

Regarding Claim 24, the modified Anthony reference teaches the method further comprising the step of disabling the control of the transportation vehicle (**Anthony: Col. 22, Lines 30-40; trigger engine shut-down, thereby disables control**).

Regarding Claim 25, the modified Anthony reference teaches the method further comprising the step of controlling the transportation vehicle from a location external to the transportation vehicle (**Anthony: Col. 22, Lines 30-40; trigger from the external control center**).

Regarding Claim 26, the modified Anthony reference teaches the method further comprising the step of controlling the at least one of the at least two capture devices or the at least one recording device or the at least one communication device (**Anthony: Col. 5, Lines 52-57; black box controls camera activation**).

Regarding Claim 27, the modified Anthony reference teaches the method further comprising the step of monitoring events captured by the at least one of the at least two capture devices (**Anthony: Col. 5, Lines 6-22; monitoring apparatus for monitoring based on received signals from the plurality of cameras**).

Regarding Claim 28, the modified Anthony reference teaches the method further comprising the step of retrieving a part or whole of at least one of the at least two streams captured by at least one of the at least two capture devices associated with the transportation vehicle (**Anthony: Col. 5, lines 6-22; uplinking to a satellite**).

Regarding Claim 29, the modified Anthony reference teaches the method wherein the at least two streams are synchronized multimedia data streams (**Anthony: Col. 15, Lines 31-34; a plurality of channels are monitored which hold the data stream of audio and video. Furthermore, the Abstract teaches of such data being real-time, therefore the system and the data it transmits must be synchronized with what actually occurs on the vehicle. Col. 15, Lines 56-65; reconcile real-time information with historically comparable information under analysis**).

Regarding Claim 30, the modified Anthony reference teaches the method wherein at least one of the at least two streams are synchronized with a radio signal (**in addition to the rejection of Claim 10, Anthony: Col. 21, Lines 25-27 teaches of using GPRS, or general packet radio service, for delivering the data streams in real-time and synchronized to a remote center from the local control board**).

Regarding Claim 31, the modified Anthony reference teaches the method wherein the at least one of the at least two capture devices is a video camera (**Anthony: Col. 6, Lines 25-27; cameras, further referenced in the rejections above**

as well).

Regarding Claim 32, the modified Anthony reference teaches the method wherein at least one of the at least two capture devices is a microphone (**Anthony: Col. 11, Line 54**).

Regarding Claim 33, the modified Anthony reference teaches the method wherein the at least one of the at least two capture devices is a radio receiver (**Anthony: Col. 13, Lines 16-20; control signals received on mobile units are via cellular, which by Col. 12, Lines 1-6 can be of general packet radio service type**).

Regarding Claim 34, the modified Anthony reference teaches the method wherein the at least one recording device is located within the transportation vehicle (**Anthony: Col. 5, Lines 7-11; local controller placed within the automobile. Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle**).

Regarding Claim 36, the modified Anthony reference teaches the method wherein the at least one analysis device is located within the transportation vehicle (**Anthony: Col. 8, Lines 12-21; automatic trigger event activation of system**,

**thereby the system having continuous analysis of the situation be on certain predetermined triggering events as handled by processors on Col. 7, Lines 32-36, which by themselves are essentially analysis devices).**

Regarding Claim 37, the modified Anthony reference teaches the method wherein the at least one analysis device is located external to the transportation vehicle in a command and control center or a crisis-management facility (**Anthony: Col. 8, Lines 22-36; law enforcement can handle crisis management and the above teaches of analysis and monitoring at control centers**).

Regarding Claim 38, the modified Anthony reference teaches the method wherein the at least one communication device transmits a transmission to be later redistributed (**Anthony: Col. 14, Lines 13-20; streaming via a predetermined schedule or periodically, thereby later redistribution is fully possible**).

Regarding Claim 39, the modified Anthony reference teaches the apparatus wherein the analysis device initiates recording if the transportation vehicle does not follow a prearranged course (**Anthony: Col. 8, Lines 18-21; automatic trigger event to initiate recording may be when driver is not following usual habits. Col. 16, Lines 5-19; fleet action is recorded and uplinked to authorities and triggers response when there's a deviation from a preplanned route. An obvious matter of design choice to use the event of deviation from a prearranged course as one of**

**the various trigger events since GPS is available on the system, giving it highly predictable results).**

Regarding Claim 40, the modified Anthony reference teaches the method wherein the analysis step initiates recording if the transportation vehicle does not follow a prearranged course (**Anthony: Col. 8, Lines 18-21; automatic trigger event to initiate recording may be when driver is not following usual habits. Col. 16, Lines 5-19; fleet action is recorded and uplinked to authorities and triggers response when there's a deviation from a preplanned route. An obvious matter of design choice to use the event of deviation from a prearranged course as one of the various trigger events since GPS is available on the system, giving it highly predictable results).**

Regarding Claim 46, the modified Anthony reference teaches the apparatus of claim 1.

The Anthony reference fails to teach wherein the at least one capture device located at the command and control center captures audio communication between the command and control center, and an emergency center or a second command and control center.

However the Sander reference teaches "Communications loggers typically are used to make continuous or nearly continuous recordings of all telephone or radio communications to and from a single location, such as a police station or fire station"

(Column 1 lines 48-55) in order to "provide back-up monitoring of critical channels"  
(Column 1 Lines 59-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to create the invention of Anthony reference to include "Communications loggers typically are used to make continuous or nearly continuous recordings of all telephone or radio communications to and from a single location, such as a police station or fire station" as taught by Sander in order to "provide back-up monitoring of critical channels" (Column 1 Lines 59-60).

Regarding Claim 47, the modified Anthony reference teaches the apparatus wherein the command and control center, and the emergency center or the second command and control center, receive information from the transportation vehicle  
**(Anthony: Column 13 Lines 54-55, "Video and audio information recorded in situ and then uplinked to a plurality of control centers as herein described").**

Regarding Claim 48, the modified Anthony reference teaches the apparatus of claim 1.

The Anthony reference fails to teach wherein the audio communication transmitted by the radio receiver is audio communication related to the event and exchanged by an emergency service.

However the Sander reference teaches "Communications loggers typically are used to make continuous or nearly continuous recordings of all telephone or radio

communications to and from a single location, such as a police station or fire station" (Column 1 lines 48-55) in order to "provide back-up monitoring of critical channels" (Column 1 Lines 59-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to create the invention of Anthony reference to include "Communications loggers typically are used to make continuous or nearly continuous recordings of all telephone or radio communications to and from a single location, such as a police station or fire station" as taught by Sander in order to "provide back-up monitoring of critical channels" (Column 1 Lines 59-60).

Regarding Claim 49, the modified Anthony reference teaches the method wherein the audio communication transmitted by the radio receiver is audio communication related to the event and exchanged by an emergency service (**Anthony: Column 13 Lines 54-55, "Video and audio information recorded in situ and then uplinked to a plurality of control centers as herein described"**).

#### *Response to Arguments*

4. Applicant's arguments filed 09/08/2008 have been fully considered but they are not persuasive.

In regards to a radio receiver, capturing activities in or near a command and control center, these argument is moot based upon the new grounds of rejection.

In regards to post-investigating an event and synchronization of data streams, the examiner would like to point out the following teachings of Albert, **Col. 15, Lines 31-34; a plurality of channels are monitored which hold the data stream of audio and video. Furthermore, the Abstract teaches of such data being real-time, therefore the system and the data it transmits must be synchronized with what actually occurs on the vehicle when played back. Col. 15, Lines 56-67** “This practice helps assure that collected data is safely migrated to a plurality of knowledge-bases that may be used to monitor and reconcile real-time information with historical comparable information. As depicted in FIG. 7, video streaming server 270 enables video information that has been stored in a plurality of video databases to be expeditiously retrieved and exploited. As will be appreciated by those skilled in the art, such devices as Windows Media Services and Real Media Server may conveniently be used to orchestrate these functions”. Clearly Albert contains means for post-investigative ability and the means for reconciling real-time information with historical comparable information.

In regards to two capture devices in or near the transportation vehicle, Column 3 Lines 10-15 of Albert teach **“comprises a plurality of video cameras disposed at strategic locations in or on the automobile so that events may be documented in real-time for analysis at a plurality of remote control sites”**.

***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARHAD ALI whose telephone number is (571)270-1920. The examiner can normally be reached on Monday thru Friday, 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Farhad Ali/  
Examiner, Art Unit 2446

/Jeffrey Pwu/  
Supervisory Patent Examiner, Art Unit 2446